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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Christine J. Landry-Coltrain, et al

SMALL POROUS POLYESTER
PARTICLES FOR INKJET USE

Serial No. 10/028,130

Filed 20 December 2001

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Group Art Unit: 1774

Examiner: Pamela R. Schwartz

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Christine Tolhurst
Christine Tolhurst

February 19, 2004
Date

RECEIVED

FEB 27 2004

DECLARATION UNDER RULE 132

1. I, Christine J. Landry-Coltrain, state that I am a resident of Fairport, N.Y., in the county of Monroe and am a citizen of the United States. I obtained a Bachelor of Science degree in McGill University from Montreal, Canada in 1980. I also have a Ph.D. degree from the University of Wisconsin in Madison Wisconsin in 1985, with a focus on polymer science. I have been an employee of Eastman Kodak Company (hereinafter referred to as Kodak) since 1985. I have been assigned to work in research and development in areas relating to polymer science, such as polymer blends and composites, and media development, such as inkjet and thermal media, and studies relating to the physical properties of polymers.
2. I am one of the co-inventors of U.S. Serial No. US 10/028,130.
3. I have read the Office Action issued on November 19, 2003 and I am familiar with the references cited therein.

4. Element 1 (prepared from particles showing a mean diameter of 0.356 microns, see Table 4 (PE-1)) shows a gloss value of 36. Control Element C-1 (prepared from particles showing a mean diameter of > 0.897 microns, see Table 4 (PE-7)) shows a gloss value of 3, much less than Element 1. All the particles used in Elements 1-6 have their most prevalent size (mode with greater than 50 % (proportion)) less than 0.5 microns. These all show high gloss. Control examples C-1 and C-2 show lower gloss because the particles used are mostly > 0.5 microns.
5. With respect to Claims 29, 30, and 31, the majority of our particles have a mean diameter less than 0.5 microns. Claims 29 and 31 just say that there could be some particles that are larger. This is illustrated in Element 6 (prepared from particles PE-6; see Table 4), for example, where the particles used have predominantly (82.1%) a mean diameter 0.43 microns but also have a component fraction (17.9%) that have a larger size of 5.86 microns.
6. The particles from Maeda are described as having a mean diameter > 0.5 microns, thus indicating they are monomodal (they teach this) and do not have a majority of particles less than 0.5 microns.
7. I further declare that all statements made herein of my own knowledge are true and that the statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Date: 2 - 3 - 04


Christine J. Landry-Coltrain